**Criminal Application No. 789 of 2006**

**Hon. Prafulla C. Pant, J.**

By means of this petition, moved under Section 482 of Code of Criminal Procedure, 1973 (for brevity herein after referred as Code), the petitioner has sought quashing of the charge sheet filed in case crime No. 37 of 1993, relating to offence punishable under Sections 409, 420 of Indian Penal Code, 1860 (for brevity herein after referred as I.P.C.), P.S. Purola, District Uttarakashi.

Heard learned counsel for the applicant.

Learned counsel for the applicant argued that the proceedings against the petitioner are going on without obtaining sanction from the authorities concerned and the investigation was made by the officer below the rank of Inspector. In this connection, he drew attention of this Court to the provisions contained in sub-section (1A) of Section 196 of the aforesaid Code.

I have gone through the said Section. The said sub-section (1-A) of Section 196, applies to the cases where the offence relates to one punishable under Section 153 B or that of Section 505 of I.P.C. or relating to criminal conspiracy to commit such offence. The trial in progress against the petitioner is neither of the two. As such, this Court finds no substance in the argument of the learned counsel for the petitioner.

Petition under Section 482 Cr.P.C. is dismissed in limine. (All pending applications in this case also stand disposed of).

Dt. 12.10.2006 (P.C. Pant, J.)

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